

**Declaration and Power of Attorney for Patent Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Payment System**

the specification of which:

- ( X ) is attached hereto.
- ( ) was filed on  
as Application serial no.  
and was amended on
- ( ) was described and claimed in PCT International Application No.  
, filed on and amended under PCT  
Article 19 on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

If this application is a continuation-in-part application, I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this continuation-in-part application.

I hereby claim foreign priority under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed (Yes/No)</u>
9927939.0	United Kingdom	26/11/1999	Yes
0000433.3	United Kingdom	11/01/2000	Yes

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

<u>Application No.</u>	<u>Filing Date</u>
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of

this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing of this application:


Application Serial No.      Filing Date      Status - Patented, Pending, Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: T.E. Fisher, Reg. No. 18,271; L.L. Heinke, Reg. No. 19,471; J.G. Watterson, Reg. No. 20,180; L.J. Raney, Reg. No. 23,078; J.R. Hlavka, Reg. No. 29,076; S.J. Schultz, Reg. No. 29,108; R.A. Sharpe, Reg. No. 34,722; G.L. Pinchak, Reg. No. 37,697; P.A. Serbinowski, Reg. No. 34,429; and M.C. Fagan, Reg. No. 37,542. Send correspondence to:

Thomas E. Fisher  
Watts, Hoffmann, Fisher & Heinke Co.  
1100 Superior Avenue, Suite 1750  
Cleveland  
Ohio 44114-2518  
Telephone: 216/241-6700

Full name of sole or first joint inventor: Paul Stephen Tolley

Inventor's signature: 

Date: 12.11.00

Residence address: 75 Manchester Road, Congleton, Cheshire, CW12 2HT,  
United Kingdom.

Citizenship: United Kingdom

Post Office Address (if different):

Applicant or Patentee:  
Serial or Patent No.:  
Filed or Issued:  
For:

Attorney's Docket No.:

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 C.F.R. 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Netcard Cash Limited

ADDRESS OF CONCERN: 75 Manchester Road, Congleton, Cheshire, CW12 2HT,  
United Kingdom

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.3-18, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Payment System

by inventor(s) Paul Stephen Tolley  
described in:

- ☐ the specification filed herewith  
☐ application serial no filed  
☐ patent no issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organisation having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a non-profit organisation under 37 C.F.R. 1.9(e).

\* NOTE: Separate verified statements are required from each named person, concern or organisation having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Non-profit Organisation

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Non-profit Organisation

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardise the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

NAME: Paul Stephen Tolley

TITLE OF PERSON OTHER THAN OWNER: Director

ADDRESS OF PERSON SIGNING: 75 Manchester Road, Congleton, Cheshire, CW12 2HT,  
United Kingdom.

SIGNATURE:



DATE: 23.11.00

23-NOV-00 15:49

- Applicant or Patentee:  
Serial or Patent No.:  
Filed or Issued:  
For:

Attorney's Pocket No.:

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 C.F.R. 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trade Mark Office with regard to the invention entitled Payment System described in:

☐ the specification filed herewith  
☐ application serial no. filed.  
☐ patent no.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 36 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organisation under 37 CFR 1.9(e).

Each person, concern or organisation to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern or organisation  
☒ persons, concerns or organisations listed below\*

\*Note: Separate verified statements are required from each named person, concern or organisation having rights to the invention averring to their status as small entities (37 CFR 1.27).

FULL NAME: Netcard Cash Limited

ADDRESS: 75 Manchester Road, Congleton, Cheshire, CW12 2HT, United Kingdom.

☐ Individual ☒ Small Business Concern ☐ Non-profit Organisation

FULL NAME:

ADDRESS: ☐ Individual ☐ Small Business Concern ☐ Non-profit Organisation

FULL NAME:

ADDRESS: ☐ Individual ☐ Small Business Concern ☐ Non-profit Organisation

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

